

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

Ophelia Azriel De'lonta,
Plaintiff,

v.

Harold W. Clarke, *et al.*,
Defendants.

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Civil Action No. 7:11-cv-00257

**PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION
AND TO COMPEL ACCESS TO PLAINTIFF**

Plaintiff Ophelia Azriel De'lonta moves this Court for a Preliminary Injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure and for an Order Compelling Access to Plaintiff.

For the reasons set forth in the accompanying Memorandum in Support and the Declarations of Ophelia Azriel De'lonta, Dr. George R. Brown, M.D., and Don Bradford Hardin, Jr., Plaintiff requests that this Court enter a Preliminary Injunction requiring Defendants to provide Ms. De'lonta with an evaluation for readiness for sex reassignment surgery by a competent specialist in the treatment of gender identity disorder ("GID"), and an order compelling Defendants to grant access to Ms. De'lonta so that she can be evaluated by her own GID specialist, at her own expense, for purposes of this litigation.

This Court should grant this Motion because Plaintiff has made a clear showing that (1) she is likely to succeed on the merits of her claim that Defendants have, with deliberate indifference, denied her medically necessary care in violation of the Eighth Amendment by refusing to provide her with her an evaluation for readiness for sex reassignment surgery by a competent specialist in the treatment and diagnosis of GID; (2) she is likely to suffer irreparable

harm in the absence of preliminary relief; (3) the balance of equities tips in her favor; and (4) an injunction is in the public interest. Plaintiff has further shown her entitlement to an order compelling Defendants to grant access to Ms. De'lonta so that she can be evaluated by her own GID specialist, at her own expense, for purposes of this litigation.

WHEREFORE, Plaintiff respectfully requests that this Court enter an Order Granting Plaintiff's Motion for Preliminary Injunction and to Compel Access to Plaintiff, and award Plaintiff such other and further relief as the Court may deem just and proper.

Dated: July 12, 2013

Respectfully submitted,

WILMER CUTLER PICKERING
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By: /s/ Don Bradford Hardin, Jr.

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Counsel for Plaintiff Ophelia Azriel De'lonta

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12th day of July, 2013, a true and correct copy of the foregoing Plaintiff's Motion for a Preliminary Injunction and to Compel Access to Plaintiff was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all Counsel of Record.

By: /s/ Don Bradford Hardin, Jr.

Don Bradford Hardin, Jr. (Va. Bar No. 76812)

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